

### **Remarks**

Claims 1, 5, 19, 30, and 41-42 are pending in this application. Claims 21-27 and 32-39 are canceled in this paper without prejudice to Applicants' right to pursue the subject matter recited by them in one or more divisional, continuation, and/or continuation-in-part applications.

Claims 5 is amended to correct certain typographical errors, and claims 19 and 30 are amended to remove the recitation that the composition is "useful for reducing or inhibiting levels of TNF $\alpha$ , PDE 4 or matrix metalloproteinases in a mammal" and to remove the recitation of "a mixture" of (R) and (S) isomers.

New claims 41-42 are added to recite specific compounds that may be used in connection with the claimed compositions. Support for these claims can be found, for example, throughout the Examples section of the specification. No new matter has been added.

Applicants respectfully submit that all of the pending claims are allowable for at least the following reasons.

A. **The Rejection of the Claims Under 35 U.S.C. § 112 Should Be Withdrawn**

The only rejections remaining in this application are those under 35 U.S.C. §112. The rejections are three-fold: 1) the rejection of claims 25-26 and 36-37 as allegedly non-enabled; 2) the rejection of claim 5 as allegedly indefinite, stemming from the typographical errors contained in the claim; and 3) the rejection of claims 19-27 and 30-39 as allegedly indefinite. (*See* Office Action, pages 2-6).

With regard to the rejection of claim 5, Applicants respectfully point out that the typographical errors referred to in the Office Action have been corrected. Thus, Applicants respectfully request that the rejection be withdrawn.

Although Applicants strongly disagree with the Examiner's allegations that claims 25-26 and 36-37 are non-enabled, and claims 19-27 and 30-39 are indefinite, especially for the reasons discussed in pages 8-13 of Applicants' Response dated February 28, 2006, claims 21-27 and 32-29 are canceled solely to expedite the prosecution of the present application. In view of these amendments, Applicants respectfully submit that the rejections are obviated, and thus, request the withdrawal thereof.<sup>1</sup>

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<sup>1</sup> As for claims 19 and 30, which are among those alleged to be indefinite, the phrase deemed indefinite by the Examiner, *i.e.*, useful for reducing or inhibiting levels of TNF $\alpha$ , PDE 4 or matrix

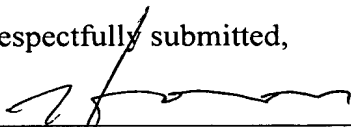
**Conclusion**

In view of the foregoing, Applicants respectfully submit that all of the pending claims are allowable.

No fee is believed due for the submission of this paper. If any fees are required for the submission of this paper, or to avoid abandonment of this application, please charge such fees to Jones Day Deposit Account No. 503013.

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Respectfully submitted,

  
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metalloproteinases in a mammal, was removed from the claims solely to expedite the prosecution of the present application. In view of the amendments, the rejection, as it applies to claims 19 and 30, is also obviated.